

## 9 FAM APPENDIX G, 300 INFORMATION EXCHANGES BETWEEN FOREIGN SERVICE POSTS

*(CT:VISA-735; 05-03-2005)*

*(Office of Origin: CA/VO/L/R)*

### 9 FAM 301 REQUESTING BACKGROUND INFORMATION FROM OTHER POSTS

*(CT:VISA-735; 05-03-2005)*

If you need information from another Foreign Service post, request it through e-mail. This replaces the "VISAS ALPHA" telegram.

#### 9 FAM 301.1 When to Request Background Information from Other Posts

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- a. You may wish to request background information from another post when a visa applicant appears qualified for a visa in all other respects, but:
  - (1) The applicant has a 212(a) refusal from another post, and you believe the refusal may have been made in error, or are considering a waiver; or
  - (2) There is an "L – Information Available at Post" entry in CLASS; or
  - (3) There is a "P" or quasi-212(a) entry from another post in CLASS that needs to be resolved.
- b. It is **NOT NECESSARY** to request background information from another post when:
  - (1) The applicant was previously refused under INA 214(b) or 221(g) by the home consular post, and you also intend to refuse the applicant under 214(b) or 212(a).
  - (2) The applicant has been refused under 214(b) or 221(g) by an out-of-district post, but was subsequently found eligible by the home consular post. In such a case, you must make a decision based on the facts at the time of application.

## **9 FAM 301.2 When to Consult with Other Posts in Connection With "Out-Of District" Cases**

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Do not routinely delay applicants applying outside their place of residence (i.e., "out-of-district" cases) unless one or more of the following indicators is present:

- (1) There is a relevant CLASS hit.
- (2) There is doubt about the applicant's visa entitlement to status.
- (3) The applicant is applying for an immigrant visa (IV), and has recently resided in another consular district. This situation might apply to a case in which it is a legitimate hardship for an applicant to return to his or her country of last residence. A fuller description of this situation can be found in 9 FAM 42.61 N2.

## **9 FAM 302 HOW TO RESPOND TO REQUESTS FOR INFORMATION FROM OTHER POSTS**

*(CT:VISA-735; 05-03-2005)*

- a. You must handle requests for applicant information from another consular post thoroughly and expeditiously. Normally, we expect responses to be sent within 48 hours of receipt of the request.
- b. You should send responses by e-mail.